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February 8, 2007

Ms. Lisa Hourihan
Courtroom Clerk to
Hon. Reginald C. Lindsay
United States District Court
One Courthouse Way
Boston, MA 02210

Re: Peguero v. HealthExtras, Inc., et al.
U. S. D. C. Docket No. 05-10995-RCL

Dear Ms. Hourihan:

I represent the defendant, HealthExtras, Inc., in the above-referenced action. Confirming our conversation yesterday, I have reached an agreement with plaintiff's counsel concerning the issues raised in the Motion to Compel that I filed on January 26, 2007 (Document #85). Accordingly, I hereby withdraw that motion without prejudice.

Thank you for your courtesy and cooperation.

Very truly yours,

Donald R. Pinto, Jr.

DRP/mo

cc: Counsel of Record